

U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE

EXPRESS MAIL LABEL NO.: N/A

April 20, 2006

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER: 4100.P0421US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5): 10/563 534

CONFIRMATION NO.: 8443

INTERNATIONAL APPLICATION NO.: PCT/EP2004/005934

INTERNATIONAL FILING DATE: June 2, 2004

PRIORITY DATE CLAIMED: June 25, 2003

TITLE OF INVENTION: METHOD OF OPEN AND/OR CLOSED-LOOP CONTROL OF THE  
MOVEMENT OF WELDING TONGS

APPLICANT(S) FOR DO/EO/US: Stefan SCHMITT-WALTER

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Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
  - a. ☒ the inventor's name appears backwards on the Notification of Missing Requirements Under 35 U.S.C. 371 and needs to be corrected to "Stefan SCHMITT-WALTER"
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13~~ter~~.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
  - A. Copy of Notification of Missing Requirements Under 35 U.S.C. 371
  - B. Postal Card

The following fees have been submitted:	Calculations	PTO USE ONLY
21. <input type="checkbox"/> Basic National Fee (37 CFR 1.492(a)) .....\$300.00	\$	
22. <input type="checkbox"/> Examination Fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....\$0.00 All other situations .....\$200.00	\$	
23. <input type="checkbox"/> Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....\$0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....\$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....\$400.00 All other situations .....\$500.00	\$	
<b>TOTAL OF 21, 22 AND 23 =</b>	<b>\$0.00</b>	

101563534

U.S. APPLICATION NO. (if known, see 37 CFR 1.5): ~~Unknown~~

INTERNATIONAL APPLICATION NO.: PCT/EP2004/005934

ATTORNEY'S DOCKET NUMBER: 4100.P0421US


[ ] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x \$ 50.00	\$	
Ind. claims	- 3 =		x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360.00				\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$130.00	
[ ] Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. <b>SUBTOTAL =</b>				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$
<b>TOTAL NATIONAL FEE =</b>				\$130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
<b>TOTAL FEES ENCLOSED =</b>				\$130.00	
05/02/2006 GFREY1 00000142 10553534				Amount to be refunded:	\$
01 FC:1617 130.00 DP				Amount to be charged:	\$

- a. [X] A check in the amount of \$130.00 to cover the above fees is enclosed.
- b. [ ] Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.
- NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

IN DUPLICATE

PLEASE DIRECT CORRESPONDENCE TO  
THE ADDRESS ASSOCIATED WITH THE  
FOLLOWING CUSTOMER NUMBER: 23474

300.07/05

  
David G. Boutell  
Registration Number: 25 072  
DGB/DJW/jas

FLYNN, THIEL, BOUTELL & TANIS, P.C.  
2026 Rambling Road  
Kalamazoo, Michigan 49008-1631

Applicant(s): Stefan SCHMITT-WALTER

Title: METHOD OF OPEN AND/OR CLOSED-LOOP CONTROL OF THE  
MOVEMENT OF WELDING TONGS

PCT International Application No.: PCT/EP2004/005934

PCT International Filing Date: June 2, 2004

U.S. Application No.

(if known, see 37 CFR 1.5): 10/563 534

Confirmation No.: 8443

Atty. Docket No.: 4100.P0421US

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

FIRST CLASS MAILING CERTIFICATE

Sir:

I hereby certify that this correspondence is being  
deposited with the United States Postal Service under 37 CFR  
1.8 as first class mail in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450, on April 21, 2006.

  
for David G. Boutell

DGB/DJW/jas

FLYNN, THIEL, BOUTELL  
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Brian R. Tumm	Reg. No. 36 328
Steven R. Thiel	Reg. No. 53 685
Donald J. Wallace	Reg. No. 43 977
Kevin L. Pontius	Reg. No. 37 512
Sidney B. Williams, Jr.	Reg. No. 24 949

Correspondence: Form PTO-1390 dated April 20, 2006 with  
enclosures thereon

390.05/05



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/563,534	Stefan Walter Schmitt	4100.P0421US

INTERNATIONAL APPLICATION NO.

PCT/EP04/05934

23474  
FLYNN THIEL BOUTELL & TANIS, P.C.  
2026 RAMBLING ROAD  
KALAMAZOO, MI 49008-1631

DHT \_\_\_\_\_ DGB \_\_\_\_\_ RJT \_\_\_\_\_  
IPC \_\_\_\_\_ MLM \_\_\_\_\_ LLC \_\_\_\_\_  
BRT \_\_\_\_\_ SRT \_\_\_\_\_ SBW \_\_\_\_\_

I.A. FILING DATE

06/02/2004

PRIORITY DATE

06/25/2003

CONFIRMATION NO. 8443

371 FORMALITIES LETTER



\*OC000000018464041\*

APR 10 2006

DJW \_\_\_\_\_ KLP \_\_\_\_\_ PMG \_\_\_\_\_  
GMS \_\_\_\_\_ CMC \_\_\_\_\_ TLH \_\_\_\_\_  
FILE \_\_\_\_\_

Date Mailed: 04/06/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/22/2005
- English Translation of the IA filed on 12/22/2005
- Copy of the International Search Report filed on 12/22/2005
- Copy of IPE Report filed on 12/22/2005
- Preliminary Amendments filed on 12/22/2005
- Information Disclosure Statements filed on 12/22/2005
- Request for Immediate Examination filed on 12/22/2005
- U.S. Basic National Fees filed on 12/22/2005
- Priority Documents filed on 12/22/2005

BEST AVAILABLE COPY

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity.

FILE NO:GKS 421 ATTY:DGB  
DUE DATE:06-06-2006 ( 20060606 )  
4100.P0421US /INIT:( 20060406 )  
ACTION:10 RES PER:2 M DK1  
20060606 FILE NO:GKS 421

FILE NO:GKS 421 ATTY:DGB/DJW  
DUE DATE:06-06-2006 ( 20060606 )  
4100.P0421US /INIT:( 20060406 )  
ACTION:10 RES PER:2 M DK1  
FILE FEE DEC, ET AL / 5408

- \$130.Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/563,534	PCT/EP04/05934	4100.P0421US

FORM PCT/DO/EO/905 (371 Formalities Notice)